35 U.S.C. §102(b) - Anticipation by Lovett

Claims 1-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Lovett, U.S. Patent No. 5,802,578. The Examiner stated, in pertinent part:

> Lovett teaches the invention (claims 1, 10, 14 and 18-19) as claimed ...
>
> ...
>
> In response to the request to invalidate the cache line requesting an exclusive copy of the cache line is taught as updating a cache line which is in a state indicating it is the 'only cached copy' either consistent with memory or inconsistent with memory (se.g., see col.5, Table 1)...

Applicants respectfully traverse this rejection on the grounds that the cited reference (Lovett) does not teach requesting an exclusive copy in response to the request to invalidate, as is recited in each of the independent claims 1, 10, 14, 18 and 19.

Lovett's Table 1 identifies and describes the pertinent cache states which are shown in Lovett's Fig. 5. The Examiner is correct in asserting that the cache states CS_ONLY_FRESH and CS_ONLY_DIRTY refer to states in which an exclusive copy of a cache line is stored. However Lovett's Table 1 does not describe, or even mention, transitions between the states it lists, much less anything like Applicants' limitation of requesting an exclusive copy of a cache line upon receipt of an invalidate request for that line while waiting for completion of a request for a shared copy of that line. And while Lovett's Fig. 5 does show the cache state transitions between cache states, it does not show or suggest that limitation. Nor does Lovett's Fig. 7 and accompanying discussion (col. 10, lines 22-46) discuss that limitation, instead describing "continu[ing] to request a copy of the data from the home node's remote cache" when "the response cannot yet be satisfied" (col. 10, lines 38-42) and, if anything, thereby teaching away from the claimed invention.

It is well established law that rejections under 35 USC §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art, with all limitations of a claim found in a single reference. As shown above, Lovett does not teach requesting an exclusive copy of a cache line upon receipt of an invalidate request for that line while waiting for completion of a request for a shared copy of that line, as is recited in all of the independent claims presented in this application. Applicants therefore respectfully request withdrawal of the rejection of claims 1-20 under §102 as being anticipated by Lovett.
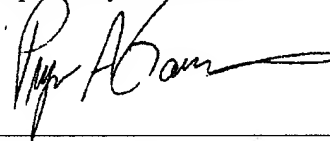
Prior Art Made of Record

The prior art made of record by the Examiner and not relied upon, i.e., Borrill, U.S. Patent No. 5588131, McClure, U.S. Patent No. 5590307, Galles, U.S. Patent No. 5655102, Herger et al., U.S. Patent No. 5900015, Safranek et al, U.S. Patent No. 6041376, Gilbert et al., U.S. Patent No. 6041376 and Safranek et al., U.S. Patent No. 6226714 has been reviewed and is deemed no more pertinent than the applied Lovett reference.

In light of the foregoing remarks, Applicants respectfully request that the outstanding objection and rejections be withdrawn, and this application be passed to issue. The Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application.

Respectfully submitted,

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